

Remarks/Arguments

Applicants respectfully request consideration of the subject application as amended herein. This Amendment is submitted in response to the Office Action mailed August 3, 2007. Claims 1-58 are rejected.

In this Amendment, claims 1 and 31 have been amended. It is respectfully submitted that the amendment does not add new matter.

Applicants reserve all rights with respect to the applicability of the Doctrine of equivalents.

Claim Rejections under 35 U.S.C. §102(e)

The Examiner has rejected claims 1-7, 9-13, 15-19, 22-37, 39-43, 45-49 and 52-58 under 35 U.S.C. §102(e) as being anticipated by U.S. Publication No. 2005/0091367 to Pyhalammi, et al. (hereinafter "Pyhalammi"). Applicants do not admit that this reference is prior art, and reserve the right to swear behind the reference. However, even if considered proper, Pyhalammi does not make the present invention obvious.

Pyhalammi is concerned with adding a watermark to an image. A receive image is replaced with the same image including a watermark. (Pyhalammi, Paragraph 30). However, in watermarking only some number of single bits is changed in the image, which is not detectable by the human eye (or otherwise not readily apparent). (Pyhalammi, paragraph 62).

Pyhalammi discusses that the content is registered 204 to record an association of the content with the originator of the content. For example, content may be registered in a registration database, where a database record includes at least a subscriber identity (e.g., MSISDN) of the content originator and some representation of the content. Where the content is an image, the representation of the content may be a thumbnail image or other auxiliary representation of the image, a filename for the image or thumbnail image, or the like. (Pyhalammi, paragraph 39). The registration is subsequently used to track the image.

Claim 1, as amended, in contrast, recites:

In a messaging system, a method for restoring media items to original quality, the method comprising:
upon receipt of a message containing an original media item that is new,
storing the original media item in a repository;
generating an identifier for identifying the original media item
stored in the repository;
replacing the original media item in the message with a lower quality substitute copy that includes said identifier; and
upon future encounter of a particular media item having said identifier,
restoring the particular media item to the original quality using said identifier.

Pyhalammi does not teach or suggest storing the original media item, nor replacing it with a lower quality substitute copy. In fact, Pyhalammi does not address the issue of image quality at all, beyond noting that the water marking is not detectable by the human eye. (paragraph 62). Therefore, claim 1, and its dependent claims are not obvious over Pyhalammi.

Furthermore, the limitation of storing the original media item is not taught or suggested by the reference. The Examiner suggests that the limitation of storing the original media content can be found at paragraph 43, and figure 2 and 3. However, Paragraph 43 states that "If the message is not watermarked as such, a watermark is added 304, and the content is stored as registered content at, for example, a registered content database 306." However, Pyhalammi clarifies that "registration" includes at least a subscriber identity (e.g., MSISDN) of the content originator and some representation of the content. (Pyhalammi, paragraph 39). Pyhalammi further notes that for a figure, the registration is a thumbnail, filename, or similar item. Clearly, Pyhalammi does not store the original, large image as part of the registration. In fact, Pyhalammi does not address image quality at all. Therefore, Pyhalammi does not anticipate claim 1, and claims 2-30 which depend on it.

Claim 31, as amended, recites:

A system for restoring media items to original quality, the system comprising:
a messaging system capable of transmitting multimedia messages;
a repository for storing the original media item upon receipt of a message containing an original media item that is new;
a module for generating an identifier for identifying the original media item stored in the repository;
a module for replacing the original media item in the message with a

substitute copy that includes said identifier; and
a module for restoring the particular media item to the original quality
using said identifier.

As noted above, the registration of Pyhalammi includes at least a subscriber identity (e.g., MSISDN) of the content originator and some representation of the content. (Pyhalammi, paragraph 39). Pyhalammi further notes that for a figure, the registration is a thumbnail, filename, or similar item. Clearly, Pyhalammi does not store the original, large image as part of the registration. In fact, Pyhalammi does not address image quality at all. Therefore, Pyhalammi does not anticipate claim 31, and claims 32-58 which depend on it.

Claim Rejections under 35 U.S.C. §103(a)

The Examiner has rejected claims 8, 14, 38 and 44 under 35 U.S.C. §103(a) as being unpatentable over Pyhalammi in view of U.S. Publication No. 2006/0031297 to Zuidem, et al. (hereinafter "Zuidem"). With respect to Zuidem, Applicants do not admit that this reference is prior art, and reserve the right to swear behind the reference. However, even if considered proper, the combination of Pyhalammi and Zuidem does not make the present invention obvious.

Zuidem also discusses a watermarking system. Zuidem also does not teach or suggest storing the original image, and forwarding media content of a different quality from the original. Therefore, Zuidem also does not teach or suggest restoring the original quality, upon future encounter of the media content.

Therefore, claim 1 and claim 31, on which the rejected claims depend, are not obvious over the combination of Pyhalammi and Zuidem.

The Examiner has rejected claims 20-21 and 50-51 under 35 U.S.C. §103(a) as being unpatentable over Pyhalammi in view of U.S. Patent No. 6,522,769 to Rhoads, et al. (hereinafter "Rhoads"). Rhoads discusses reconfiguring a watermark detector. However, Rhoads does not teach or suggest a system in which an original quality image is stored, and then restored upon future encounter of the media content.

Therefore, Rhoads does not remedy the shortcomings of Pyhalammi discussed above. Therefore, claims 20-21, and 50-51 are not obvious over the combination of Pyhalammi and Rhoads.

Conclusion

Applicant respectfully submits that in view of the amendments and discussion set forth herein, the applicable rejections have been overcome. Accordingly, the present and amended claims should be found to be in condition for allowance.

If a telephone interview would expedite the prosecution of this application, the Examiner is invited to contact Judith A. Szepesi at (408) 720-8300.

If there are any additional charges/credits, please charge/credit our deposit account no. 02-2666.

Respectfully submitted,
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